

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF DELAWARE**

In re:

BIG LOTS, INC., *et al.*,

Debtors.¹

Chapter 11

Case No. 24-11967 (JKS)

(Jointly Administered)

Re: D.I. 2097, 2098, 2099, 2100 & 2101

**CERTIFICATION OF COUNSEL REGARDING OMNIBUS ORDER
(I) AUTHORIZING THE DEBTORS TO (A) REJECT CERTAIN UNEXPIRED LEASES
EFFECTIVE AS OF FEBRUARY 28, 2025² AND (B) ABANDON CERTAIN PERSONAL
PROPERTY AND (II) GRANTING RELATED RELIEF**

The undersigned counsel to the above-captioned debtors and debtors in possession (the “**Debtors**”) hereby certify as follows:

1. On October 9, 2024, the Court entered an *Order (I) Authorizing Debtors to Reject Certain Unexpired Leases of Nonresidential Real Property and (II) Authorizing and Establishing Procedures to Reject Executory Contracts and Unexpired Leases* (D.I. 461) (the “**Lease Rejection Procedures Order**”).

2. Pursuant to the Lease Rejection Procedures Order, on February 26, 2025, the Debtors filed the *Thirteenth Notice of Rejection of Certain Executory Contracts and/or Unexpired Leases (and the Abandonment of Property)* (D.I. 2097) (the “**Thirteenth Rejection**

¹ The debtors and debtors in possession in these chapter 11 cases, along with the last four digits of their respective employer identification numbers, are as follows: Great Basin, LLC (6158); Big Lots, Inc. (9097); Big Lots Management, LLC (7948); Consolidated Property Holdings, LLC (0984); Broyhill LLC (7868); Big Lots Stores - PNS, LLC (5262); Big Lots Stores, LLC (6811); BLBO Tenant, LLC (0552); Big Lots Stores - CSR, LLC (6182); CSC Distribution LLC (8785); Closeout Distribution, LLC (0309); Durant DC, LLC (2033); AVDC, LLC (3400); GAFDC LLC (8673); PAFDC LLC (2377); WAFDC, LLC (6163); INFDC, LLC (2820); Big Lots eCommerce LLC (9612); and Big Lots F&S, LLC (3277). The address of the debtors’ corporate headquarters is 4900 E. Dublin-Granville Road, Columbus, OH 43081.

² Or, for a real property Lease, the later of (A) the Rejection Date; (B) the date upon which the applicable Debtor surrenders in writing (including via email) the premises to the landlord and returns the keys, key codes, or security codes, as applicable (or certifies in writing that the landlord is authorized to change the locks); and (C) such other date to which the Debtors and the applicable Counterparty have agreed to.

Notice”), the *Fourteenth Notice of Rejection of Certain Executory Contracts and/or Unexpired Leases (and the Abandonment of Property)* (D.I. 2098) (the “**Fourteenth Rejection Notice**”), the *Fifteenth Notice of Rejection of Certain Executory Contracts and/or Unexpired Leases (and the Abandonment of Property)* (D.I. 2099) (the “**Fifteenth Rejection Notice**”) and the *Sixteenth Notice of Rejection of Certain Executory Contracts and/or Unexpired Leases (and the Abandonment of Property)* (D.I. 2100) (the “**Sixteenth Rejection Notice**”) and the *Seventeenth Notice of Rejection of Certain Executory Contracts and/or Unexpired Leases (and the Abandonment of Property)* (D.I. 2101) (the “**Seventeenth Rejection Notice**”) and, together with the Thirteenth, Fourteenth, Fifteenth and Sixteenth Rejection Notices, the “**Rejection Notices**”).

3. The deadline to object to each of the Rejection Notices was March 10, 2025, at 4:00 p.m. (ET). The Debtors extended the objection deadlines for the lease for the store located in Wappingers Falls, NY (Store #1396 and subject to the Fourteenth Rejection Notice) and the lease for the store located in Newburgh, NY (Store #5492 and subject to the Fifteenth Rejection Notice) until March 11, 2025, at 4:00pm ET. The Debtors have since reached agreement with counsel for the Wappingers Falls and Newburgh leases and counsel has reviewed the proposed rejection order and consents to its entry.

4. Prior to the objection deadline, landlords for the leases for the stores located in Tampa, Florida (Store #547) and Greer, South Carolina (Store #5407) filed objections to the Sixteenth and Thirteenth Rejection Notices, respectively (D.I.s 2192 & 2193). The Debtors have removed the leases associated with Stores #547 and #5407 from the schedule of rejected leases, without prejudice, and the objections are therefore moot.

5. Attached hereto as **Exhibit A** is a proposed form of omnibus order and revised schedule (the “Proposed Order”) approving the Rejection Notices and authorizing the Debtors to reject certain unexpired leases effective as of February 28, 2025³.

6. The Proposed Order includes a revised schedule because, in the initial filings of the Rejection Notices, the schedule of personal property to be abandoned was inadvertently omitted. The Proposed Order that the Debtors request be entered now includes that schedule of personal property.

7. The schedule of such personal property has remained the same for all notices of rejection for non-residential real property leases that the Debtors have abandoned in these cases, and the Debtors submit that parties were on adequate notice of the Debtors’ intention to abandon all personal property remaining on the Lease locations subject to the Rejection Notices despite the omission of the schedule. In fact, the landlord for the store located in Tampa, Florida (Store #547) actually objected to the abandonment of property in its filed objection (D.I. 2192). Thus, proper notice was given even without the standardized list of property to be abandoned being included in the schedule, and the Debtors respectfully request that the Court enter the Proposed Order as revised.

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³ Or, for a real property Lease, the later of (A) the Rejection Date; (B) the date upon which the applicable Debtor surrenders in writing (including via email) the premises to the landlord and returns the keys, key codes, or security codes, as applicable (or certifies in writing that the landlord is authorized to change the locks); and (C) such other date to which the Debtors and the applicable Counterparty have agreed to.

WHEREFORE, the Debtors respectfully request that the Court enter the order attached hereto as **Exhibit A** at its earliest convenience.

Dated: March 10, 2025
Wilmington, Delaware

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